

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

APR 04 2016

~~JULIA C. DUDLEY CLERK~~
BY: ~~DEPUTY CLERK~~

For the reasons stated during a hearing held on April 4, 2016, it is hereby

ORDERED

as follows:

1. The non-party respondent's motion to quash the plaintiff's deposition subpoena (Docket No. 58) is **DENIED**, and the alternative motion for a protective order (Docket No. 58) is **GRANTED IN PART AND DENIED IN PART**.
 - a. The parties shall depose "Jackie," the non-party respondent, on Thursday, April 7, 2016.
 - b. The deposition shall be conducted at a mutually convenient location, with priority given to the convenience and comfort of the deponent.
 - c. The deposition shall be conducted in the format designated by the plaintiff.
 - d. The scope of the deposition shall be limited to the types of questions outlined during the hearing.
 - e. Any and all recordings and transcripts of the deposition shall be marked as confidential.

2. The plaintiff's motion for additional time to depose Jackie (Docket No. 53) is

GRANTED IN PART AND DENIED IN PART.

- a. The defendant is entitled to depose Jackie for 3.5 hours.
 - b. The plaintiff may also depose Jackie for 3.5 hours.
 - c. If the plaintiff believes that more time is necessary, the plaintiff may either depose Jackie for a total of 5 hours, divided over a 2-day period, or petition the court for additional time.
3. United States Magistrate Judge Joel C. Hoppe shall preside over Jackie's deposition and enforce the rulings made by the court.
4. The declaration from Jackie's treating psychologist is deemed received and shall be filed under seal. Based on the current state of the record, the psychologist shall not be deposed or otherwise subjected to discovery. Any party may petition for reconsideration if changed circumstances so warrant.

The Clerk is directed to send copies of this order to Judge Hoppe and all counsel of record.

DATED: This 4th day of April, 2016.



Chief United States District Judge